

MINUTES OF REGULAR MEETING October 17, 2018

1. CALL TO ORDER

Mayor Severino called the meeting to order at 7:00 p.m.

- 2. "Sunshine Law" Announcement-** Adequate notice of this public meeting has been provided by Annual Notice; published in the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. FLAG SALUTE**4. ROLL CALL**

	Present	Absent
Mr. Severino	X	
Mr. Hirt		X
Mr. Sroka	X	
Mr. Neary	X	
Mr. Mazza	X	

Also present J.P. Jost, Attorney, Robert C. Clerico, P.E., Grace Brennan, CFO and Municipal Clerk Ella M. Ruta.

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of October 3, 2018

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary			X			
Mr. Mazza		X	X			

Motion carried

6. VISITORS

David Bieler member of the Bethlehem Presbyterian Church said that every year members of the Church offer voluntary services to the Community. He asked the Committees permission to clean up the Memorial plaque and garden at Finn Road Park this weekend. Mayor Severino thanked Mr. Bieler for volunteering and extended his appreciation for volunteering. Mr. Mazza asked if they could also help with mulch at the Municipal Building. Mr. Bieler agreed.

Atty. Jost asked that the following motion be approved:

That Bethlehem Presbyterian Church members provide Community Service at the Municipal Building and Finn Road Park.

Voice Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka		X	X			

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Mr. Neary			X			
Mr. Mazza	X		X			

Motion carried

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 9/28/18; 10/06/18
 - b. Animal Control Officer – September 2018
 - c. Public Safety Coordinator – not present
 - d. Engineer's Report
- Perryville Road/Railroad Crossing project should take no longer than two weeks. Mr. Mazza said that the Construction Company has left millings by Crop Production property. Engineer Clerico will contact the appropriate person.
 - Country Acres Road project to begin 1st week in November.
 - Attended meeting with the Committee and NJDOT regarding Frontage Road repairs and jurisdiction over the road. Said the NJ DOT will resurface the road.
 - Hunterdon County Soil Conservation District approved remediation work at 101 Albert Drive.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Sroka reported the following:

- Complaints posted to the Township Facebook from residents about problems with Telecommunication services. Mayor Severino will look into the issue.

9. PUBLIC COMMENTS

Bryna Elder, 580 Main Street, Pattenburg – mentioned a meeting scheduled for tomorrow night at the County regarding parks, specifically plans for Hoffman Park. Mayor Severino said he was in contact with the County several months ago and the County discussed building a pavilion at the park. In addition, he said there were discussions about demolishing some of the old sheds/barns. The Township would encourage that he added.

10. PUBLIC HEARING

ORDINANCE #2018-11

AN ORDINANCE REPEALING SECTION 30-30, ENTITLED “REQUIRED GROWTH SHARE AFFORDABLE HOUSING OBLIGATION” OF THE LAND USE CODE OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON

Atty. Jost read a part of a letter from the Planning Board Atty. Anderson with regard to the Ordinance and said that the Planning Board did not determine that the Growth Share Ordinance is not inconsistent with the Land Use Code of the Township. He said that Atty. Drill opinion is that the Growth Share Ordinance that is being repealed is outdated because it is contrary to the NJ Supreme Court decision, which basically negated the Growth Share concept. Atty. Jost said he feels no impairment in holding a Public Hearing and adopting the Ordinance.

To open Public Hearing

Voice Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X

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Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion Carried

Bryna Elder, 580 Main Street, Pattenburg asked the Township plans with regard to Affordable Housing. Atty. Jost stated that the Master Plan is being amended by the Planning Board and will address the Affordable Housing Plan.

To close Public Hearing

Voice Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion Carried

To adopt

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion Carried

11. OLD BUSINESS - None**12. NEW ORDINANCE – None****13. NEW BUSINESS**

- a. The following Resolution was introduced for approval:

RESOLUTION #2018 – 94

**APPOINTMENT OF KORY FLEMING TO THE POSITION OF FOREMAN IN THE DEPARTMENT
OF ROADS AND FACILITIES**

EFFECTIVE NOVEMBER 1, 2018

WHEREAS, the foreman of the Department of Roads and Facilities, Craig Hermann, is retiring effective October 31, 2018, and

WHEREAS, the Township Committee sees it appropriate to promote from within the staff of the Department of Roads and Facilities, and

WHEREAS, Kory Fleming has the qualifications and good standing with the Township

NOW, THEREFORE BE IT RESOLVED

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1. Kory Fleming is hereby appointed to the position of Foreman in the Department of Roads and Facilities, effective November 1, 2018.
(Probationary period from November 1, 2018 through April 30, 2019)
2. The salary for this position is \$72,500.00 annually.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary			X			
Mr. Mazza		X	X			

Motion carried

- b. The following Resolution was introduced for approval:

RESOLUTION 2018-95

**ACKNOWLEDGEMENT OF VACATION PAY FOR
CRAIG HERMANN, DRF FOREMAN**

WHEREAS, Craig Hermann is retiring effective October 31, 2018

WHEREAS, Mr. Hermann has completed 26 plus years of service with the Township of Union, and

WHEREAS, Mr. Hermann has accumulated unused vacation in the amount of 157.5 hours

NOW THEREFORE BE IT RESOLVED that the Township Committee hereby authorizes the payment of \$5,837.87 to be made to Craig Hermann for accumulated unused vacation pay.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion carried

- c. The following Resolution was introduced for approval:

RESOLUTION # 2018 – 96

**Authorizing the Employment of William A. Spencer
Full Time Employee
For the Department of Roads and Facilities**

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WHEREAS, the Township of Union is in need of a full-time employee for the Department of Roads and Facilities; and

WHEREAS, William A. Spencer is qualified and has been offered said permanent position, and good cause appearing;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey that William A. Spencer shall be hired as a permanent full time employee for the Department of Roads and Facilities, effective November 16, 2018 to serve at the pleasure of the Township Committee, at the annual salary of \$38,000.00.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary			X			
Mr. Mazza		X	X			

Motion carried

- d. **Motion to Approve:** Request to Perform a Fireworks Display at The Grand Colonial on October 21, 2018

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion carried

- e. **Motion to Approve:** 2018 Quarry License Renewal – GreenRock Recycling

Atty. Jost stated the above-mentioned license could be approved subject to the License Holder providing necessary Insurance Certificate as required per Township Ordinance. Brief discussion followed and motion stated by Atty. Jost was presented for a vote.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion carried

- f. **Motion to Approve:** Request for putting barricades in the Brass Castle neighborhood on Halloween

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			

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Mr. Neary			X			
Mr. Mazza		X	X			

Motion carried

- g. **Discussion** – Liberty Stone & Aggregates – Clinton Quarry Cash Bond.
Atty. Jost asked that the matter be discussed in Executive Session.

14. REPORTS

a. Attorney's Report

- Distributed by email a sample ordinance from another municipality regarding the importation of fill. He said the Committee might be interested in the ordinance since there was an incident recently altering the topography of the property in the Township.
- All other items to be discussed in Executive Session.

b. Committee Report -

Mr. Mazza reported the following:

- Said that in talking to the DR&F there is a number of dead or diseased trees in the Township that have to be removed. The removal cost of all trees would come to about \$75,000.00. Trees that have to be removed immediately would be marked by DR&F and cost approximately \$25,000.00. DR&F would like to contract the work through Co-op instead of obtaining quotes. Mr. Sroka asked that the Township would get at least one quote to compare prices. CFO Brennan said she would call local tree removal companies for quotes.
- DR&F filled a sinkhole and leveled the ground in the Brass Castle Development.
- Damaged nets after mowing was brought to Kory Fleming's attention who attended the meeting.

c. Mayor's Report

- Met with representatives from Highlands Council. Talked about Conformation Plan that the Township opted not to sign a few years ago because of the dispute of Township Professionals fees. Current Council has offered to pay Townships Professionals fees if the Township would review and reconsider conforming to the Plan. Atty. Jost briefly summarized history of prior decision made by the Committee and suggested the Township Planner should be contacted.
- Stated that Beth McManus of Clark Caton Hintz, the Township's Affordable Housing Planner is leaving the Firm as of October 26, 2018.

15. PUBLIC COMMENT –

Kory Fleming, DR&F employee expressed his heartfelt thanks to the Committee for his recent promotion to the Foreman position on DR&F. He said he is very excited to start in this new position and to implement his new goals and ideas. In addition, he said there are changes he would like to make to improve overall functionality of the Department.

16. PAYMENTS OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date paid and that all checks listed hereinafter issued in payment thereof.

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Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion carried

15. EXECUTIVE SESSION

The following Resolution was introduced for adoption:

RESOLUTION #2018-97

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq.,; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. _____Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. _____Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program , including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. _____Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. _____Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

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6. ____ Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigation of possible violations of the law.
7. X Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
8. X Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
9. ____ Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on October 17, 2018, at 7:51 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion Carried

The Committee returned to regular meeting session at 8:24 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion Carried

After reconvening into regular session of the meeting, Atty. Jost asked that the following motion be introduced for adoption:

In view of the fact that the Township's Affordable Housing Planner Beth McManus is leaving the Firm of Clarke Caton Hintz as of October 26, 2018 the Township Committee is hereby appointing Ms. McManus as the Township Affordable Housing Planner for matters related to Affordable Housing in Union Township,

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Hunterdon County effective October 26, 2018. Motion subject to appropriate execution of the Professional Services Contract.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt						X
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion Carried

Atty. Jost stated for the record that the Firm of Clark Caton Hintz will continue to provide services as the Township Planner.

Mr. Mazza mentioned that volunteers are needed to serve on the Planning Board/Board of Adjustment and UT Environmental Commission. Mr. Sroka will post the information on the Township website and Facebook page.

17. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Neary made a motion to adjourn the meeting at 8:28 p.m. Mr. Sroka seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Ella M. Ruta, Municipal Clerk

Matt Severino, Mayor